

Message Text

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PAGE 01 STATE 001312

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TO AMEMBASSY MANILA

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TAGS: PINS, RP

SUBJECT: OSMENA/LOPEZ

REF: 15181

1. FOLLOWING IS LANGUAGE ON POLITICAL PRISONER QUESTION
AGREED UPON BY BOTH HOUSES OF CONGRESS AND CONTAINED IN
CONFERENCE REPORT ON THE FOREIGN ASSISTANCE ACT OF 1974.
QUOTE: SECURITY ASSISTANCE AND HUMAN RIGHTS

SEC. 46 CHAPTER 1 OF PART II OF THE FOREIGN ASSISTANCE ACT
OF 1961 IS AMENDED BY ADDING AT THE END THEREOF THE
FOLLOWING NEW SECTION:

SEC. 502B. HUMAN RIGHTS. - (A) IT IS THE SENSE OF CONGRESS
THAT EXCEPT IN EXTRAORDINARY CIRCUMSTANCES, THE PRESIDENT
SHALL SUBSTANTIALLY REDUCE OR TERMINATE SECURITY ASSISTANCE
TO ANY GOVERNMENT WHICH ENGAGES IN A CONSISTENT PATTERN OF
GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS,
INCLUDING TORTURE OR CRUEL, INHUMAN OR DEGRADING TREATMENT
OR PUNISHMENT; PROLONGED DETENTION WITHOUT CHARGES; OR
OTHER FLAGRANT DENIALS OF THE RIGHT TO LIFE, LIBERTY, AND
THE SECURITY OF THE PERSON.

(B) WHENEVER PROPOSING OR FURNISHING SECURITY ASSISTANCE TO
ANY GOVERNMENT FALLING WITHIN THE PROVISIONS OF PARAGRAPH
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PAGE 02 STATE 001312

(A), THE PRESIDENT SHALL ADVISE THE CONGRESS OF THE

EXTRAORDINARY CIRCUMSTANCES NECESSITATING THE ASSISTANCE.

(C) IN DETERMINING WHETHER OR NOT A GOVERNMENT FALLS WITHIN THE PROVISIONS OF SUBSECTION (A), CONSIDERATION SHALL BE GIVEN TO THE EXTENT OF COOPERATION BY SUCH GOVERNMENT IN PERMITTING AN UNIMPEDED INVESTIGATION OF ALLEGED VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS BY APPROPRIATE INTERNATIONAL ORGANIZATIONS, INCLUDING THE INTERNATIONAL COMMITTEE OF THE RED CROSS AND ANY BODY ACTING UNDER THE AUTHORITY OF THE UNITED NATIONS OR OF THE ORGANIZATION OF AMERICAN STATES.

(D) FOR PURPOSES OF THIS SECTION 'SECURITY ASSISTANCE' MEANS ASSISTANCE UNDER CHAPTER 2 (MILITARY ASSISTANCE) OR CHAPTER 4 (SECURITY SUPPORTING ASSISTANCE) OF THIS PART, ASSISTANCE UNDER PART V (INDOCHINA POSTWAR RECONSTRUCTION) OR PART VI (MIDDLE EAST PEACE) OF THIS ACT, SALES UNDER THE FOREIGN MILITARY SALES ACT, OR ASSISTANCE FOR PUBLIC SAFETY UNDER THIS OR ANY OTHER ACT. END QUOTE.

2. CONFERENCE REPORT ALSO CONTAINS FOLLOWING EXPLANATION
QUOTE: HUMAN RIGHTS AND POLITICAL PRISONERS.

THE SENATE BILL CONTAINED A PROVISION AMENDING SECTION 32 OF THE FOREIGN ASSISTANCE ACT OF 1973 TO REQUIRE THE PRESIDENT SUBMIT AN ANNUAL REPORT TO THE CONGRESS, SETTING FORTH FULLY THE STEPS HE HAS TAKEN TO DENY ECONOMIC AND MILITARY ASSISTANCE TO ANY COUNTRY THAT IMPRISONS ITS CITIZENS FOR POLITICAL PURPOSES.

THE HOUSE AMENDMENT CONTAINED A PROVISION ADDING A NEW SECTION 502(B) TO THE FOREIGN ASSISTANCE ACT TO EXPRESS THE SENSE OF THE CONGRESS THAT THE PRESIDENT SHOULD SUBSTANTIALLY REDUCE OR TERMINATE SECURITY ASSISTANCE TO ANY GOVERNMENT WHICH ENGAGES IN A CONSISTENT PATTERN OF GROSS VIOLATIONS OF HUMAN RIGHTS.

THE SENATE RECEDED. END QUOTE.

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PAGE 03 STATE 001312

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